IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.720 OF 2006

Yeshwant Sitaram More .. Petitioner
Versus
Smt.Malati Vasant Athwale
since deceased through her
heirs and legal representatives
and Anr. .. Respondents.

Mr.V.V.Pai for petitioner

CORAM : S.C.DHARMADHIKARI, J.
DATE : 16th February 2006.

P.C.

. At the request of Mr.Pai allowed to be withdrawn and dismissed as such. All that the impugned order means is that petitioner cannot place written statement in the suit which is being tried by the trial court. However, this does not prevent petitioner from cross examining plaintiff in the suit on plaintiff's case. In

the absence of written statement, impediment in law as far as petitioner is that, he cannot put forward his own case. Right to participate in the trial would be on the basis that the petitioner is permitted to cross examine plaintiff and his witnesses insofar as the case set up by the plaintiff.

(S.C.DHARMADHIKARI, J)